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Fifth semi-annual report of the Secretary-General on the implementation of Security Council resolution 1559 (2004)

I. Introduction

1. The present report is my fifth semi-annual report to the Security Council on the implementation of resolution 1559 (2004).

2. In the past six months, Lebanon has continued to witness prolonged political uncertainty, with the issue of the creation of a special tribunal for Lebanon in the context of the work of the International Independent Investigation Commission moving increasingly centre stage.

3. Political consultations among Lebanese leaders to resolve their differences began on 6 November 2006. Amidst their collapse, the Shiite members of the Cabinet resigned from the Government on 11 November. A further minister resigned on 13 November. Tension rose further with the approval of a draft statutory agreement on the special tribunal with an international character on 13 November, and then the finalized statutory agreement on 25 November by the remaining members of the Cabinet.

4. The opposition, consisting of Amal, Hizbullah and the Free Patriotic Movement, as well as President Lahoud, have maintained that the Cabinet no longer enjoys constitutional legitimacy. The Government continues to meet and function, since it continues to enjoy the support of a parliamentary majority. In addition, the Government maintains that since the Prime Minister never formally accepted the resignations submitted to him, they are not valid. In the context of an intensifying debate over the constitutional legitimacy of the remaining Cabinet, supporters of Hizbullah, Amal, and the Free Patriotic Movement began staging a sit-in at the Prime Minister's office in downtown Beirut from 1 December, which endures to the present day.

5. The demonstrations have on occasion led to violent clashes between supporters of the opposition forces and those of the Government. Early in December, one person was killed in the context of such clashes. On 23 January 2007, 3 people were killed and over 100 injured when a general strike was called and the country left in paralysis. Two days later, as donors assembled in Paris and pledged their assistance to Lebanon's reconstruction effort after the war of last summer, clashes at a Beirut

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university campus turned violent, leaving 4 people dead and over 150 injured. Renewed clashes also occurred in rural parts of the Beqaa Valley in February.

6. A variety of parties and actors have undertaken commendable efforts to mediate between the opposing sides in Lebanon. The laudable visits and efforts by the Secretary-General of the League of Arab States and a praiseworthy initiative pursued by the Kingdom of Saudi Arabia laid the foundations for talks between the leader of the parliamentary majority, Saad Hariri, and the Speaker of Parliament, Nabih Berri, in early to mid-March. The crisis is yet to be resolved, however, and the standoff that paralyses Lebanon continues.

7. Twice in the last four months, petitions signed by a majority of the members of Parliament and expressing their support for the holding of a parliamentary session to ratify the establishment of the international tribunal have been submitted to me. Parliament has not met since the end of the fall session, and is yet to launch its regular spring session deliberations, which formally began on 22 March 2007, as the Speaker has not called for the convening of the assembly. Against this background, the Prime Minister, Fouad Siniora, sent me a letter dated 10 April, requesting that in the light of the "paralysis" of the Lebanese Parliament, the Security Council "examine alternative ways and means that will ensure the establishment without delay, of the special tribunal for Lebanon, which is essential for the safeguarding of liberties and deterring further political assassinations".

8. On 21 November 2006, the Industry Minister, Pierre Gemayel, the scion of one of Lebanon's most prominent political families, was assassinated by gunmen in Beirut. On 13 February 2007, three people were killed when two buses were successively bombed near the village of Bikfaya. Seventeen people were injured. The members of the Security Council condemned these acts and, on both occasions, reaffirmed their previous calls upon all parties concerned to cooperate fully and urgently for the full implementation of all relevant resolutions concerning the restoration of the territorial integrity, full sovereignty and political independence of Lebanon, in particular resolutions 1559 (2004), 1595 (2005), 1636 (2005), 1664 (2006), 1680 (2006) and 1701 (2006). My predecessor and I also condemned these atrocities.

9. While a tense calm continues to prevail in Lebanon, the month of March saw an increase in the reported number of security threats and bomb scares. On 26 April, two young men were found dead, three days after having disappeared in a southern Beirut neighbourhood. There have been allegations that the incident may have been linked to sectarian tension.

II. Implementation of resolution 1559 (2004)

10. In the aftermath of the last report, of 19 October 2006, on the implementation of resolution 1559 (2004) (S/2006/832), further progress has been achieved to consolidate the arrangements established by resolution 1701 (2006).[1] Such progress is relevant to the achievement of strict respect of the sovereignty, territorial

[1] See the letter to the President of the Security Council of 1 December 2006 (S/2006/933) and my report of 14 March 2007 on the implementation of Security Council resolution 1701 (2006) (S/2007/147).

integrity, unity, and political independence of Lebanon under the sole and exclusive authority of the Government, as called for in resolution 1559 (2004).

11. However, the provisions of resolution 1559 (2004) calling for the disbanding and disarmament of all Lebanese and non-Lebanese militias and the strict respect of the sovereignty, territorial integrity, unity, and political independence of Lebanon under the sole and exclusive authority of the Government, as well as the Council's support for a free and fair electoral process in Lebanon's presidential election conducted according to Lebanese constitutional rules devised without foreign interference or influence, remain to be implemented in full.

A. Sovereignty, territorial integrity, unity and political independence of Lebanon

12. In reaction to my most recent report, of 14 March 2007, on the implementation of resolution 1701 (2006) (S/2007/147), the Council adopted a presidential statement on 17 April (S/PRST/2007/12), in which it reiterated its full support for the legitimate and democratically elected Government of Lebanon, called for full respect of the democratic institutions of the country, in conformity with its constitution, and condemned any effort to destabilize Lebanon. The Council further called upon all Lebanese political parties to show responsibility with a view to preventing, through dialogue, further deterioration of the situation in Lebanon, and reaffirmed its strong support for the sovereignty, territorial integrity, unity, and political independence of Lebanon within its internationally recognized borders and under the sole and exclusive authority of the Government of Lebanon.

13. In the context of the enduring political standoff and of widespread allegations that illegal arms trafficking is taking place clandestinely via the Syrian-Lebanese border, the 14 March alliance, which represents the majority faction in Parliament, released a statement on 16 January 2007, in which it asserted that "forces directly affiliated with Syrian intelligence are bringing in new shipments of weapons and distributing them in sensitive areas of Lebanon, especially in the western Beqaa and Reshaya and some areas of Mount Lebanon". The statement continued by drawing "the attention of the Arab League and the United Nations to such non-stop practices by the Syrian regime in Lebanon". The Government of the Syrian Arab Republic has repeatedly denied any involvement in arms trafficking or any intelligence activity in Lebanon, and has pointed to its efforts and full cooperation in enforcing the weapons embargo imposed by resolution 1701 (2006). President Assad also informed me during our meeting in Damascus on 24 April that the Syrian Arab Republic is willing to work with the United Nations on all matters relating to peace and stability in the region, also reaffirming the commitment of the Syrian Arab Republic to the full implementation of resolution 1701 (2006) and to enhance consultations with the United Nations in that regard.

14. Regrettably, the expectation of the early initiation of a process between Lebanon and the Syrian Arab Republic, based on an agreed action agenda, which will eventually lead to the establishment of full diplomatic relations, as expressed in the last report (S/2006/832) and in fulfilment of the relevant provisions of resolution 1680 (2006), has not yet been met. I have urged President Assad to establish diplomatic relations with Lebanon, and he reconfirmed his readiness in principle to establish relations with Lebanon. At the same time, the Syrian Arab Republic has

reiterated its position to me that the establishment of mutual diplomatic representation is a bilateral matter. I continue to believe that the establishment of formal diplomatic relations would be an important measure to affirm the strict respect for Lebanon's sovereignty, territorial integrity, and political independence. As was stated in the last semi-annual report (ibid.), steps towards the establishment of diplomatic relations between the Syrian Arab Republic and Lebanon would significantly contribute to the stability of the region.

15. The affirmation of Lebanon's sovereignty, territorial integrity and political independence also continues to be inextricably linked with the delineation of the border it shares with the Syrian Arab Republic. Steps towards delineating in full the border between Lebanon and the Syrian Arab Republic would also significantly contribute to the stability of the region.

16. The Government of the Syrian Arab Republic, in its letter to the Security Council of 20 March 2007, reaffirmed its position that the question of the demarcation of borders between the Syrian Arab Republic and Lebanon is a bilateral matter that relates to State sovereignty and must be solved by agreement between the Syrian and Lebanese Governments. The Syrian Arab Republic has also informed me, latest in my meeting with President Assad on 24 April, that it is willing to resume meetings of the Syrian-Lebanese commission on the borders and that it agrees to begin a process of delineation, proceeding from north to south. I welcome President Assad's agreement to reactivate the Border Committee with Lebanon.

17. It is my view that the delineation and demarcation of the Lebanese-Syrian border is indeed a bilateral matter that can only be settled through a bilateral agreement between the two parties. As concerns the majority of the length of the Lebanese-Syrian border, there are no impediments to the early commencement of such a process. I now look forward to the early reconvention of the bilateral Border Committee, as President Assad has committed, and the conclusion of a border agreement, which would also prove an important and useful vehicle to address the stated concerns of the members of the Security Council over allegations and reports of illegal arms transfers across the border, in violation of Lebanon's sovereignty and of resolutions 1559 (2004) and 1701 (2006).

18. With regard to the Shab'a Farms, the Syrian Arab Republic has also informed me in its letter of 20 March 2007 that "Israeli withdrawal from the area is essential, it being understood that the border will be demarcated following complete Israeli withdrawal from the occupied Syrian Golan". Previously, the Syrian Arab Republic had indicated to me its concurrence — consistent with the statements of a number of its senior officials that the Shab'a Farms are to be considered Lebanese — with the Lebanese seven-point-plan, which envisages placing the Shab'a Farms under United Nations jurisdiction until permanent border delineation and Lebanese sovereignty over them is settled. The third semi-annual report, of 19 April 2006, on the implementation of Security Council resolution 1559 (2004) (S/2006/248) had noted that it appeared "that there exists a consensus on the general need to delineate the Lebanese-Syrian border". This position on a need for a delineation of the border was reaffirmed by the Security Council in its resolution 1680 (2006).

19. In this context, I also reiterate the position that while a permanent solution of this particular issue remains contingent upon the delineation of the border between the Syrian Arab Republic and Lebanon, in fulfilment of resolutions 1559 (2004), 1680 (2006) and 1701 (2006), and its eventual demarcation on the ground, I have

also taken note of the Government of Lebanon's seven-point-plan and the approach suggested in it. Accordingly, I continue my work to examine the geographical definition of the Shab'a Farms, as outlined in my report of 14 March 2007 on the implementation of resolution 1701 (2006) (S/2007/147).

20. As I also wrote in my recent report, Israeli air violations of the Blue Line, through Israel Defense Force jet and unmanned aerial vehicle overflights, continue on an almost daily basis. The Government of Israel continues to maintain that the overflights are a necessary security measure that will continue until the two abducted Israeli soldiers are released and respect for the full arms embargo, established in paragraphs 14 and 15 of resolution 1701 (2006), is implemented. The Government of Lebanon continues to protest the overflights as a serious violation of Lebanese sovereignty and a violation of resolution 1701 (2006), and has argued in a recent letter to the Security Council of 4 April 2007 that Israeli overflights should not be linked to the enforcement of the arms embargo.

21. Mindful of the potential repercussions of continued regular violations of Lebanese sovereignty through Israeli overflights, I have, as I reported in my briefing to the Security Council on my trip to the Middle East on 5 April, asked the Government of Israel to halt its policy of overflights, which are a violation of Lebanese sovereignty and of resolutions 1559 (2004) and 1701 (2006). I continue to expect that such air incursions and violations of Lebanese sovereignty will cease fully.

22. The Government of Lebanon has also asserted, in its letter to the members of the Security Council of 4 April 2007, that Israel's continued occupation of the northern part of Ghajar constitutes another breach of the Blue Line. As such, Israel's presence in Ghajar would constitute a violation of Lebanese sovereignty. The issue is being dealt with through the tripartite meetings convened by the Force Commander of the United Nations Interim Force in Lebanon (UNIFIL), and I am confident that a solution to the ongoing divergence of views can be found in due course. The same applies to Israeli violations of Lebanese sovereignty and territorial integrity that have occurred in the context of incidents along the Blue Line in February and March 2007. I continue to have full confidence that the tripartite meeting mechanism convened by the UNIFIL Force Commander can be utilized to satisfactorily address such incidents.

B. Extension of Lebanese Government control over all Lebanese territory

23. Under the conditions of the ongoing political crisis in Lebanon, the Government is restricted in its ability to extend its authority over all Lebanese territory. The Government's constitutional legitimacy itself has been called into question by the opposition. A resolution of the crisis, through dialogue and consensus, is a necessary precondition for the extension of Lebanese Government control over all Lebanese territory and the exertion of the Government's monopoly on the legitimate use of the force.

24. In response to my recent report on the implementation of resolution 1701 (2007) (S/2007/147), the Security Council has, while commending the steps taken by the Government of Lebanon to exercise its monopoly on the use of force throughout its territory, taken note with concern of reported activities of

unauthorized armed elements outside of the UNIFIL area of operations and has reiterated its call for disbanding and disarming of all militias and armed groups in Lebanon.

25. I highlighted in my recent report the laudable efforts and achievements of the Government of Lebanon and the Lebanese Armed Forces to extend the Government's control over all Lebanese territory. The Lebanese Armed Forces, in particular, have played a commendable role in recent months in their efforts to establish the Government's monopoly on the legitimate use of force.

26. However, I have also outlined that the Lebanese Armed Forces are under considerable strain and thus limited in their ability to fully discharge their responsibilities. I reiterate my call on donor countries to come forward and help the Lebanese Armed Forces meet their obligations under resolution 1701 (2006) and as concerns the extension of the Government of Lebanon's control over all of Lebanon's territory and the establishment of the democratically elected Government's monopoly on the legitimate use of force throughout Lebanon, in fulfilment of the provisions of resolution 1559 (2004). As I told the Security Council in my recent briefing on my trip to the region on 5 April, the Government of Lebanon has indicated that it would be willing to consider further technical assistance, training and equipment, including, on a bilateral basis, to enhance the capabilities of its forces to better monitor its borders. The Government of Lebanon also has informed me that it has taken a series of measures to curb illegal arms activities. To that end, 8,000 troops were deployed along the eastern and northern borders with the Syrian Arab Republic. Furthermore, the Government of Lebanon has reassured me again that it views the matter of border control and the prevention of the illegal entry of arms as vital issues of national security.

27. I have been provided with detailed information related to an extensive number of illegal crossing points between the Syrian Arab Republic and Lebanon, many of which are said to be used for smuggling, mostly of fuel, cement, and stolen vehicles by both Lebanese and Syrian nationals. The United Nations is in no position to verify such information. The indication, however, suffices to underline the necessity of a full delineation of the Syrian-Lebanese border and of improvements in the monitoring of the border.

28. While the Government of Lebanon has made considerable progress in asserting its authority, there remains concern as to the continued challenge posed to the legitimate authorities by militias. In particular, in my recent report (S/2007/147), I noted with concern the activities of Hizbullah and other militias outside of the UNIFIL area of operations. In addition, there have been reports of arms shipments and arms trafficking, which I also outlined in that report. Any form of illegal transfer of arms does not only stand in contradiction to resolution 1701 (2006), it also inherently undermines the authority of the State and its monopoly on the legitimate use of force, and thus contravenes resolution 1559 (2004). I have received information from Israel on arms trafficking. This information has been detailed and substantial, as outlined in my recent report. In addition, I have also received reports from other Member States detailing that illegal transfers of arms do occur. According to such reports, some weapons produced outside the region arrive via third countries and are brought clandestinely into Lebanon through the Syrian-Lebanese border. Such transfers are alleged to be taking place on a regular basis.

29. Against that background, I emphasized the importance of preventing illegal movement of arms into Lebanon in my recent talks with President Assad in Damascus. The Syrian Arab Republic has consistently denied reports of illegal arms trafficking through the Syrian-Lebanese border, except for individual incidents, as manifested in the Syrian seizure of a truck bearing Iraqi number plates in which there were contraband weapons that were on their way to Lebanon, as outlined in the letter of the Syrian Arab Republic to the Security Council of 20 March 2007. I have also received a number of photographs showing the contraband weaponry captured in that incident.

30. I join the call of the Security Council, expressed in its recent presidential statement (S/PRST/2007/12), on the Government of the Syrian Arab Republic to take further measures to reinforce controls at the Syrian-Lebanese border, emphasizing that under the given circumstances, its cooperation to enforce the arms embargo imposed by resolution 1701 (2006) is an indispensable element in enabling the exertion of the Lebanese Government's control over all of its territory. Having taken note of the letter of the Syrian Arab Republic to the Security Council dated 20 March 2007 and the information contained therein that the Syrian Arab Republic had apprehended a truck with Iraqi number plates which was carrying contraband weapons, I continue to view both the delineation of and strict control of the Lebanese-Syrian border, from both sides, as critically important.

31. Accordingly, I continue to develop a framework for the evaluation of the situation along the border and to intend to dispatch at the earliest, in close liaison with the Government of Lebanon, an independent mission to fully assess the monitoring of the border. In accordance with the presidential statement of 17 April, I will keep the Council informed on my contacts with the Government, and report back to the Council in due course on its findings and recommendations in this regard.

32. I have also taken note of the assertion by the Syrian Arab Republic, which I referred to in my report of 14 March 2007 (S/2007/147) as well as mounting media speculation, that Israel is sending weapons to some Lebanese groups. Some reports have also asserted that other parties from the region and outside it are engaged in such weapons transfers. I have not been provided with any evidence to support such claims. At the same time, I cannot but be concerned over the disconcerting nature of all such reports, allegations and speculation, which illustrate that the authority of the State of Lebanon throughout its territory and its monopoly on the legitimate use of force is far from uncontested and assured.

33. In my recent report, I also referred to my concern over a growing threat from extremist Islamist groups, who have reportedly found safe haven in Palestinian refugee camps, to the presence of the United Nations in Lebanon. The presence and reportedly growing strength of such groups stands in direct contradiction to resolution 1559 (2004) and is deeply disconcerting, threatening not only the United Nations presence, but also undermining the Government of Lebanon's exertion of authority and its monopoly on the use of force throughout its territory. In the aftermath of the twin bus bombings of 13 February 2007, the Internal Security Force arrested a number of members of the Fatah al-Islam group, most of whom were Syrian nationals. Lebanese officials have informed me of their belief that Fatah al-Islam, which shares ideological tenets with Al-Qaida, is provided with funds by the Damascus-headquartered Fatah-Intifada militia and is composed primarily of

Syrian nationals and Palestinians ordinarily resident in the Syrian Arab Republic, though there are also Lebanese and members of other nationalities among its activists. Fatah al-Islam is believed to number between 200 and 250 members and to be under the leadership of a Jordanian-Palestinian wanted for questioning in connection with the murder of a United States diplomat in Amman in 2001. The Government of the Syrian Arab Republic has written, in a letter to the President of the Security Council dated 26 March 2007, that it categorically denies accusations directed against it by some Lebanese authorities of coordination between Syrian bodies and Fatah al-Islam. The Syrian Minister of the Interior has asserted that the group is connected to Al-Qaida and had contacts with the former leader of Al-Qaida in Mesopotamia, Abu Musab al-Zarqawi. According to the Government of the Syrian Arab Republic, the Jordanian-Palestinian leader of Fatah al-Islam served three years in prison until 2006 and is wanted for renewed arrest in the Syrian Arab Republic. The Government of the Syrian Arab Republic also repeated in its letter that it regrets these accusations and affirmed that it condemns all crimes and continues to stand by Lebanon in order to strengthen stability and security therein.

34. I further note that extension of the Government's control over all Lebanese territory also remains contingent on a resolution of the continued Israeli presence in the northern part of Ghajar. The issue continues to be discussed through the tripartite meeting channel, and I expect it to be resolved in accordance with the Security Council's recent presidential statement.

C. Disbanding and disarmament of Lebanese and non-Lebanese militias

35. As I have stated previously, it is my belief that the disarmament of Lebanese and non-Lebanese militias must take place through a political process that will lead to the full affirmation of the authority of the Government of Lebanon throughout all of its territory. Such a political process presupposes, in the first instance, dialogue and a spirit of cooperation between the various political forces in Lebanon. As such, resolution of the ongoing political crisis in Lebanon — which primarily revolves around the question of the international tribunal and the establishment of a national unity Government — is a necessary precondition for such a far-reaching political process.

36. At the same time, the enforcement of the arms embargo imposed by resolution 1701 (2006) and the cooperation of parties outside Lebanon, in particular the Syrian Arab Republic and the Islamic Republic of Iran, remain a key ingredient in ensuring that such a political process can proceed and is not undermined by parties and groups extending their political power through the acquisition of arms. I stated in Damascus on 24 April that the Syrian Arab Republic should support the disbanding and disarming of all armed groups in Lebanon, consistent with its commitment to the implementation of resolution 1701 (2006).

37. In recent months, there has been no discussion among Lebanese political leaders about such a political process leading to the disbanding and disarmament of Lebanese and non-Lebanese militias. On the contrary, in the context of the enduring crisis, there have been mounting reports and increasing media speculation that a variety of Lebanese groups are expanding their existing weapons arsenals or are reacquiring a weapons capacity.

38. In the context of the prolonged political crisis that has paralysed Lebanon, fears have frequently been voiced that even the uneasy interim status quo maintained in the aftermath of the civil war — under which most Lebanese political groupings, except for Hizbullah had given up their armed capacities — may unravel, lead to widespread rearming and thus raise the spectre of a renewed confrontation among the Lebanese. The United Nations has not been able to investigate in-depth the empirical basis for such fears. I am deeply concerned, however, that the existing public and media discourse — whether based on evidence or speculative — may in fact accelerate, if not prompt, a domestic arms race in Lebanon, with unforeseeable consequences.

39. I have noted above and in my recent report (S/2007/147) the assertion put forward by the Syrian Arab Republic that some Lebanese groups are receiving arms from Israel. There has also been media speculation that Israel and other parties inside and outside the region are providing weaponry to groups aligned with the 14 March movement. The United Nations has not received any evidence substantiating such claims.

40. The Government of Lebanon has informed me that, on 21 December 2006, Lebanese security forces raided homes of a number of members of the Syrian Socialist Nationalist Party in northern Lebanon, discovering a considerable amount of weaponry and explosives of different types. The Lebanese authorities also made this information public. The head of the Party released a statement, according to which the raid had been politically motivated and the weapons found had been remnants from Lebanese resistance against the Israeli occupation in the 1980s.

41. The Government of Lebanon has also informed me that, on 3 March 2007, Lebanese customs authorities apprehended a private car in the Mt. Lebanon area, seizing 25 new Kalashnikov rifles, as well as six boxes containing 700 bullets each and 50 chargers. This information was also made public in Lebanon.

42. As concerns the Palestinian militias in Lebanon, there has been no progress or action towards the disarming and disbanding of such groups. My Special Representative has continued his dialogue with the representative of the Palestine Liberation Organization in Lebanon, who is also in close contact with the Lebanese authorities on all issues of mutual concern.

43. As I outlined in my report of 14 March 2007 (S/2007/147), Hizbullah has claimed that it is strengthening its capacity and rebuilding its armed presence, that it is present in southern Lebanon, close to the Blue Line, and that it has plenty of weapons and asserts the right to transport its arms within the country in order to combat Israel. Israel has also frequently asserted that Hizbullah is rebuilding its presence and infrastructure in south Lebanon and that it continues to receive weaponry through the Syrian-Lebanese border. I also outlined in that report that UNIFIL received no reports of unauthorized armed personnel in the area during the period under review, except for local hunters and Palestinian armed elements, who are largely confined to the refugee camps. In addition, I wrote that joint efforts by the Lebanese Armed Forces and UNIFIL have not detected illegal transfers of arms to the area south of the Litani River.

44. As I have referred to in my recent report, on 8 February 2007, Lebanese authorities intercepted a truck containing rockets, rocket launchers and mortars in an east Beirut suburb. The Government of Lebanon has now informed me that the truck

had originally been seized by Lebanese customs officials on the Beirut-Damascus highway between Shtoura and Dahr al-Baydar in Lebanon, and had then been transferred for a detailed search to Beirut. The customs officials found a significant number of mortars, mortar shells, rockets and flares in the truck. In a statement released to the media, Hizbullah acknowledged that "a truck carrying ammunition for the resistance from the Beqaa to the south" had been seized, and demanded that "the concerned authorities must return the truck and the ammunitions to the resistance". Such activities would constitute a violation of resolutions 1559 (2004) and 1701 (2006).

45. The Government of Lebanon has further informed me that on 2 March 2007, three persons were captured by the Lebanese authorities with three Strella missiles in the vicinity of Nabatieh. The incident also stands in contradiction to the provisions of resolution 1559 (2004).

46. Hizbullah has accused other groups of stockpiling weapons in secrecy, and has publicly acknowledged remaining an armed militia, in defiance of resolution 1559 (2004).

47. In other public addresses, Nasrallah appeared to reject the notion that Hizbullah was a "state within a state," drawing into question the very authority of the Lebanese State. He also appeared to condition the disarmament of his group ("the solution to the resistance issue") on the establishment of "a strong state and a strong army". In this context, I recall the observations, made in previous reports on the implementation of resolution 1559 (2004) (S/2005/673 of 26 October 2005 and S/2006/248 of 19 April 2006), that in implementing the 1989 Taif Agreement, the majority of Lebanese militias merged into the Lebanese Armed Forces during the 1990s, in accordance with the Taif Agreement's provision that the "disbanding of all Lebanese and non-Lebanese militias shall be announced", and that "the militias' weapons shall be delivered to the Government of Lebanon within a period of six months", beginning with the ratification of the Agreement. I note that the establishment of a strong State and a strong army logically follows, rather than precedes, the disarming and disbanding of militias, the integration of their military capacities into the regular armed forces, and their commitment to participate in the democratic political process.

48. Against this background, I also emphasize the importance of cooperation by regional parties that maintain ties with Hizbullah. The full implementation of the arms embargo imposed by resolution 1701 (2006) is an indispensable element in decreasing the tension and conflict potential that currently exists in Lebanon and in paving the ground for the disarming and disbanding of all Lebanese and non-Lebanese militias. It is also an obligation imposed by the Security Council's resolutions on all Member States.

49. I also reiterate once again the call on all those parties with the ability to influence Hizbullah to support its transformation into a solely political party, consistent with the requirements of the Taif Agreement, as a means to achieve the full disarmament of all Lebanese and non-Lebanese militias.

50. The eventual disarmament of Hizbullah in the sense of the completion of its transformation into a solely political party, consistent with the requirements of the Taif Agreement, is a key element in ensuring a permanent end of the hostilities and a critical provision to be realized in the implementation of resolution 1701 (2006) and

in the full restoration of Lebanon's sovereignty, territorial integrity and political independence. In addition, it is my firm conviction that rivalry and antagonism between different factions in Lebanon must finally be channelled into a framework of political competition, rather than continuously imply the risk of an escalation into armed confrontation. The disarmament and disbanding of all militias in Lebanon will be an important step in this regard.

D. Presidential election process

51. The issue of the Lebanese presidency is now once again becoming a prominent political issue in Lebanon. Since the adoption of resolution 1559 (2004) in September 2004, regrettably, there has been no free and fair electoral process in Lebanon's presidential election conducted according to Lebanese constitutional rules devised without foreign interference or influence. In its presidential statement of 30 October 2006 (S/PRST/2006/43), the Security Council noted again with regret that some provisions of resolution 1559 (2004) had yet to be implemented, including free and fair presidential elections conducted according to the Lebanese constitutional rules, without any foreign interference and influence.

52. The parliamentary majority represented by the 14 March alliance continues to maintain that President Lahoud's continued presence in office is illegitimate. I have also taken note of the recent petition signed by 70 members of Parliament in favour of a parliamentary session to ratify the statutory agreement on the international tribunal for Lebanon, in which signatories justified their resort to a petition with reference to "the position of the President of the Republic, whose mandate was extended in contravention of Security Council resolution 1559 (2006), and who continues in his attempt to obstruct the constitutional prerogatives of the legitimate government of Lebanon".

53. In the coming months, the extended term of President Lahoud will be coming to an end. A new president will have to be elected, in an electoral process that should be free and fair and be conducted according to Lebanese constitutional rules devised without foreign interference or influence, in accordance with resolution 1559 (2004). Such an election will also help revive the ordinary and constitutional political process in Lebanon.

III. Observations

54. Since the report of 19 October 2006 on the implementation of resolution 1559 (2004) (S/2006/832), further progress has been achieved to consolidate the arrangements established by resolution 1701 (2006), which provides an enabling framework for Lebanon's stabilization and its return onto the path towards reasserting its sovereignty, territorial integrity, and political independence, which the country had been pursuing prior to last summer's war. To date, however, resolution 1559 (2004) has not yet been implemented in full.

55. The prolonged political crisis and uncertainty that has haunted Lebanon over the past few months illustrates that the provisions of resolution 1559 (2004) remain as relevant as they were when the resolution was first adopted. Since September 2004, Lebanon has undergone a momentous transition, in partnership with the

United Nations. Most importantly, the country elected a Government that continues to enjoy democratic legitimacy bestowed on it by a process of free and fair parliamentary elections, under the supervision of international monitors. However, the transition has not yet been completed, and indeed, has suffered tremendous setbacks.

56. The enduring standoff also demonstrates that Lebanon is in need of a comprehensive and, most importantly, consensual political framework, as manifested in the Taif Agreement. This framework also necessitates the renewed support and engagement of all relevant external parties and supporters of Lebanon. Without it, and without an end to the stifling crisis, Lebanon will not be able to make much further progress towards reasserting its sovereignty, territorial integrity, and political independence, or to sustain such progress in the long term. I have taken positive note of the assurances I have received from President Assad and other senior Syrian officials during my talks in Damascus on 24 April, and look forward to their realization in practice.

57. On the domestic level, a resolution of the current crisis will have to encompass discussion of and agreement on the issue of the Lebanese presidency. In the first report, of 1 October 2004, on the implementation of resolution 1559 (2004) (S/2004/777), the belief was stated that "Governments and leaders should not hold on to office beyond prescribed term limits". The divisive issue of President Lahoud's extended term in office will soon no longer be of relevance. What will be of relevance, however, is that the process of the presidential election will be free and fair, be conducted according to Lebanese constitutional rules devised without foreign interference or influence, in accordance with resolution 1559 (2004).

58. Neither the current political crisis in Lebanon nor the overall implementation of all provisions of resolution 1559 (2004) is a purely domestic matter. As has long been the case, the fate of Lebanon remains tied up with broader regional trends and concerns. On one level, this relates to the Arab-Israeli conflict and efforts to attain a just, comprehensive and lasting peace for all peoples in the region. On another level, this relates to the full implementation of not just resolution 1559 (2004), but also resolutions 1680 (2006) and 1701 (2006), as well as, insofar as it is relevant, resolution 1747 (2007).

59. Most importantly, the subject of the allegations that illegal arms trafficking is taking place clandestinely via the Syrian-Lebanese border needs to be addressed, since any form of weapons smuggling inherently undermines the authority of the Government and its monopoly on the legitimate use of force. I was and remain concerned over the extent and detail of the reports. I call on all relevant parties, in particular the Governments of the Syrian Arab Republic and of the Islamic Republic of Iran, to ensure the full implementation of resolutions 1559 (2004) and 1701 (2006).

60. In this context, I reiterate my belief that the establishment of formal diplomatic relations between the Syrian Arab Republic and Lebanon and the delineation of the Syrian-Lebanese border are essential measures to affirm the strict respect for Lebanon's sovereignty, territorial integrity, and political independence of Lebanon and enable the full implementation of all provisions of resolution 1559 (2004). I expect that the Syrian Arab Republic and Lebanon, in the context of a resolution of the current political crisis in Lebanon, will make progress towards a bilateral agreement on these elements. With regard to the Shab'a Farms, I am continuing my

work to examine the geographical definition of the area. I also wish to call for the Syrian Arab Republic and Lebanon to address in their bilateral contacts the issue of Lebanese detainees in Syrian custody.

61. I have noted the diverse allegations coming from various sides and parties as concerns illegal arms trafficking and the possible arming of a variety of Lebanese and non-Lebanese groups. All these are of great concern. I am deeply worried that the political crisis in Lebanon may be deepened and exacerbated by the allegations and related speculation. Most importantly, fears of and speculation fuelling a process of widespread rearmament of political groups in Lebanon have raised the spectre of return to Lebanon's darkest days. This must not happen.

62. Hizbullah's arms continue to pose a key challenge to the Government's monopoly on the legitimate use of force and all efforts to reassert Lebanon's sovereignty, territorial integrity and political independence. I reiterate my conviction that the disarmament of Lebanese and non-Lebanese militias must take place through a political process, which in the first instance depends on a resolution of the current political crisis and the establishment of dialogue and consensus on a number of the most pressing issues. At the same time, the full implementation of the arms embargo imposed by resolution 1701 (2006) is an indispensable element in decreasing the tension and conflict potential that currently exists in Lebanon and in paving the ground for the disarming and disbanding of all Lebanese and non-Lebanese militias. All regional parties concerned, in particular the Syrian Arab Republic, must lend their support to this process. I note positively in this regard my conversation with President Assad on the relevant issues.

63. In addition, the domestic and regional political process must also return to addressing the issue of the Palestinian militias, in accordance with the agreements reached in last year's national dialogue.

64. All regional and extraregional parties are called upon to provide all necessary support. With the efforts to implement in full resolution 1701 (2006), much progress has been achieved. I thank all troop contributors to UNIFIL, all providers of bilateral technical assistance, and all donor countries. I also wish to commend the Lebanese Armed Forces, in particular, for the important role they have played in recent months in their efforts to establish the Government's monopoly on the legitimate use of force and extend its authority throughout all of Lebanon's territory.

65. I reiterate my call on all parties and actors to support Lebanon's reconstruction and political transformation, and to urgently take all enabling measures to this end, as outlined in the Taif Agreement and in resolutions 1559 (2004), 1680 (2006), and 1701 (2006).

66. I will continue my efforts for the purpose of the full implementation of these and all other relevant Security Council resolutions pertaining to the restoration of the territorial integrity, full sovereignty, and political independence of Lebanon and the achievement of a just, lasting and comprehensive peace throughout the entire Middle Eastern region, consistent with all relevant Security Council resolutions, especially resolutions 242 (1967) and 338 (1973).